

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re UBS AUCTION RATE SECURITIES
LITIGATION

This Documents Relates To:

All Actions

Case No. 08-CV-2967 (LMM)(KNF)
ECF Case

**NOTICE OF DEFENDANT
DAVID SHULMAN'S
MOTION TO DISMISS THE
FIRST AMENDED CONSOLIDATED
CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that, upon the Memorandum of Law and the Declaration of Robert J. Anello submitted herewith, and upon all the pleadings and proceedings filed and had herein (including, but not limited to, the Motions to Dismiss the First Amended Consolidated Class Action Complaint and accompanying Memoranda of Law and Declarations filed by Defendants UBS Securities LLC, UBS Financial Services Inc., UBS AG, Marten Hoekstra, Marcel Rohner, and Joseph Scoby, to the extent consistent herewith), the undersigned will move this Court, before the Honorable Lawrence M. McKenna, United States District Judge, on a date to be set by the Court, at the United States Courthouse, 500 Pearl Street, New York, New York, for an Order dismissing the Amended Complaint against David Shulman, pursuant to Fed. R. Civ. P. 9(b) 9(b), 12(b)(1), and 12(b)(6), and under the Private Securities Litigation Reform Act, and granting such other and further relief as the Court deems just and proper.

Dated: New York, New York
August 28, 2009

MORVILLO, ABRAMOWITZ, GRAND,
IASON, ANELLO & BOHRER, P.C.

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